

SENATE CHAMBER,
AUSTIN, TEXAS, Friday, April 28, 1871. }

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Gaines, the reading of the journal of yesterday was dispensed with.

President Campbell presented the following communication from the Comptroller of Public Accounts:

OFFICE OF COMPTROLLER OF PUBLIC ACCOUNTS,
AUSTIN, April 28, 1871

To the Legislature of the State of Texas:

The first of January, A. D. 1872, the revenue officers of the State are required by law to begin the assessment of taxes, and the Comptroller of Public Accounts is required by the same law to furnish said officers with rolls, forms, etc., to do the work. These rolls, forms, etc., must be printed in September and October, 1871, and mailed by the first of November, to insure their delivery to the revenue officers in the more remote sections of the State in time to begin and complete the work as directed by law.

The printing of these rolls, forms, tax laws, with instructions and unpublished abstract of patented laws for the fiscal year 1871, will cost not less than twelve thousand dollars.

The rolls, forms, etc., printed, have fallen far short of the number required by revenue officers to do the work for the year 1871, and this fact taken in connection with the influx of population, will indicate the great increase of forms, roll, etc., required for 1872.

For 1871, one hundred and fifty thousand each, of form four and five, the one real and the other personal property have been printed and yet there are continual applications throughout the State for increased distribution. The same is true of the other forms as to demand for more than have been printed. There are altogether thirteen forms distributed to assessors, sheriffs and district clerks. The original appropriation for fiscal year 1871 is as follows:

For blanks and contingencies to carry into effect an act for the assessment and collection of taxes, \$3,000; for printing, binding rolls, etc., \$2,000; for books and stationery, \$2,000. This first appropriation has been exhausted, and an appropriation of \$12,000 additional has been found necessary to cover the expense of this work, making a total of \$19,000.

To do this increased amount of work for the fiscal year 1871, the appropriation bill for the Comptroller's office in the Senate is as follows: For books and stationery, \$2,000; for printing, binding, etc., \$2,000; making the sum of four thousand dollars all told.

Form number six, original and duplicate tax receipt for sheriffs, two hundred thousand each now in the hands of the Public Printer, will cost about three thousand dollars.

I present with this statement of facts, thirteen forms published and distributed to revenue officers, one form alone costing about three thousand dollars, and there is a pressing necessity for another form for a registered receipt for back taxes, as contemplated by section twenty-four, new law.

The number of forms distributed will be diminished in number all that is possible for the fiscal year, 1872; but it is believed no practicable economy can do the work required of the Comptroller for less than twelve thousand dollars.

The appropriation should be as follows:

For books and stationery.....	\$ 2,000
For printing, binding and distributing forms, tax law (with instructions) and current printing.....	12,000

Without this appropriation, the Comptroller cannot furnish the information, etc., required by law, and he deems it his duty to the people of the State, to urge the appropriation necessary to execute the revenue laws of the State.

The appropriation for postage and porter hire has long since been consumed in the purchase of postage stamps to distribute rolls and attend to the enlarged correspondence, and to meet the deficiencies there should be the following appropriations made: For postage for 1871, \$600; for porter hire for 1871, \$200; for postage for 1872, \$1200; for porter hire for 1872, \$480; for wood for 1872, \$400. It is believed there is no desire on the part of the Legislature to decline making all needful appropriations to give force and effect to the laws, and that it is only necessary to have the attention of the legislators called to the necessity for appropriations asked for to secure prompt and correct action.

I have the honor to be, very respectfully,

Your obedient servant,

A. BLEDSOE, Comptroller.

On motion of Senator Mills, the vote of yesterday, by which the following amendment to House bill No. 357 was adopted, was reconsidered:

Amend, under head of Comptroller's Department, "strike out line thirty-eight."

REPORTS OF STANDING COMMITTEES.

Report of Committee on Engrossed bills :

COMMITTEE ROOM,
AUSTIN, April 28, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bills No. 372, "An act to authorize certain persons herein named to erect a toll bridge across Harris creek, in Smith county;" No. 285, "An act to validate certain acts of the County Court of Van Zandt county;" No. 330, "An act to incorporate the Hebrew Benevolent Society of Brenham," and No. 239, "An act exempting telegraph operators in this State from serving on juries and in the State militia," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received.

Under direction of the President the Secretary carried to the House, for concurrence, Senate bills Nos. 372, 285, 330 and 239.

Reports of Committee on State Affairs :

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on State Affairs, to whom was referred House bill No. 409, entitled "An act to incorporate the city of Brenham and to grant a new charter to said city, and to repeal all acts heretofore passed incorporating said city which may be in force by virtue of any existing charter," after careful consideration, instruct me to report the same back and recommend its passage with accompanying amendments.

Respectfully,

S. W. FORD,
Chairman.

Amendments of Committee on State Affairs to House bill No. 409 :

Amend section one, line five, by striking out the word "perpetual."

Amend section two, line five, by inserting after the word "necessary" the following: "said officers shall be required to take and subscribe before any officers authorized to administer oaths, the oath prescribed by the Constitution for members of the;" amend section

two, line seven, by striking out the word "and" and inserting the words "with the advice and consent of the;" section five, line eight, by striking out the word "fill" and inserting the following words: "provide by ordinance for filling by special elections," and adding to said section the following words: "after the next general election."

Amend section seven, line twenty-five, by striking out the words "increased or;" section eight, line eleven, by striking out the words "of neighboring houses and lots," and inserting "provided the cost shall not exceed one per cent on the value of said property;" same line strike out the word "request," and insert the words "provide for draining;" section eight, line twelve, strike out the words "to be drained;" section eight, line thirteen, strike out word "filled" and insert the words "filling the same;" same line, strike out all after the word "up" down to and including the word "thereof," in lines fifteen and sixteen; section eight, line nineteen, strike out all after the word "therein" down to and including the word "city," in line twenty-one; section eight, line twenty-four, strike out all after the word "practices" down to and including the word "proper," in line twenty-six; section nine, line fourteen, amend by striking out the words "the sum of fifty dollars," and inserting the words "exceeding one-half of that levied by the State."

Report read.

On motion of Senator Gaines, the rules were suspended to consider the report and bill. Read second time.

The amendments reported by committee were adopted, and, on motion of Senator Ford, House bill No. 409 passed to a third reading.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 582, entitled "An act to amend section seven of an act entitled 'an act to incorporate the Texas Banking and Insurance Company,' approved July 1, 1870," after careful consideration, instruct me to report the same back and recommend its passage.

S. W. FORD.

Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred

House bill No. 501, entitled "An act to incorporate the Germania Club of the city of Galveston," after careful consideration, instruct me to report the same back and recommend its passage.

Respectfully,

S. W. FORD.
Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 166, entitled "An act to incorporate the "Germania at Fayetteville," after careful consideration, instruct me to report the same back and recommend its passage.

Respectfully,

S. W. FORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 411, entitled, "An act to incorporate the Sherman Gas Company," after careful consideration, instruct me to report the same back and recommend its passage.

Respectfully,

S. W. FORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 500, entitled "An act to authorize the fire engine, the hook and ladder and the hose companies of the city of Galveston to increase the number of the men in each company," after careful consideration, instruct me to report the same back and recommend its passage.

Respectfully,

S. W. FORD,
Chairman,

COMMITTEE ROOM
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 479, entitled "An act amendatory of 'an act to incorporate the Home Insurance Company of Texas,'" after careful consideration, instruct me to report the same back and recommend its passage.

S. W. FORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 495, entitled "An act to provide for the continuance of the general index of the special acts, and making an appropriation therefor," after careful consideration, instruct me to report the same back and recommend its passage.

Respectfully,

S. W. FORD.
Chairman.

Reports read and laid over under the rules.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 584, entitled "An act to amend an act entitled 'an act to incorporate the Galveston City Railroad Company,' approved October 8, 1866," after careful consideration, instruct me to report the same back and recommend its passage.

• Respectfully,

S. W. FORD.
Chairman.

Report read.

On motion of Senator Ford, the rules were suspended to consider the report and bill.

House bill No. 584 read second time and passed to third reading.

On motion of Senator Ruby, the rules were further suspended

and House bill No. 584 read third time, passed, and returned to the House.

Report of Committee on Enrolled Bills :

COMMITTEE ROOM,
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Enrolled Bills have carefully examined and find correctly enrolled the following Senate bills, to-wit: No. 218, entitled "An act to amend an act entitled 'an act to consolidate in one act and amend the several acts incorporating the city of Houston, in Harris county,' passed August 2, 1870 :'" No. 10, entitled "An act for the relief of James E. Carlton, sheriff of Jasper county ;" No. 318, entitled "An act to organize and incorporate the Marshall, Texas, and Mansfield, Louisiana, Railroad Company ;" No. 170, entitled "An act in reference to the location, survey and return of genuine land certificates ;" No. 287, entitled "An act to authorize the Governor to order a special election in the county of Grimes to settle permanently the county seat of said county ;" No. 42, entitled "An act to incorporate the Merchants' and Planters' Savings Bank of Texas ;" No. 219, entitled "An act to incorporate the Texas Savings Bank ;" No. 121, entitled "An act providing that all fees or costs of peace officers shall be taxed and payable in United States currency ;" No. 35, entitled "An act to amend an act entitled 'an act to incorporate the city of Columbus and for other purposes,' approved August 5, 1870," and to-day presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Report read and received.

On motion of Senator Cole, the Senators who were absent under the call of the Senate, on yesterday afternoon, were excused for such absence.

Reports of Committee on Counties and County Boundaries :

COMMITTEE ROOM,
AUSTIN, April 28, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Counties and County Boundaries to whom was referred Senate bill No. 358, "An act to organize the county of Frio," have had the same under consideration and recommend that it do pass.

P. W. HALL,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 28, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Counties and County Boundaries to whom was referred Senate bill No. 363, "An act to change the boundary line between Comal and Guadalupe counties," have had the same under careful consideration and most respectfully recommend that it do pass.

P. W. HALL,
Chairman.

Reports read and laid over under the rules.

Under direction of the President, the Secretary carried to the House the following House bills, with the action of the Senate:

House bill No. 70, "An act for the relief of Thomas W. Haynes," passed April 27.

House bill No. 247, "An act for the relief of R. H. Walker," passed April 27.

House bill No. 270, "An act to authorize W. W. Knight to erect a toll bridge over Waxahachie creek in Ellis county, Texas," passed April 27.

House bill No. 280, "An act to incorporate the West Fork Male and Female College," passed April 27.

House bill No. 283, "An act to incorporate Waco Lodge No. 92, Ancient, Free and Accepted Masons," passed April 27.

House bill No. 288, "An act to incorporate the East Fork Prand Road Company," passed April 27.

House bill No. 425, "An act to authorize the Commissioner of the General Land Office to issue to B. H. Davis, assignee, an unconditional second class headright certificate for six hundred and forty acres of land upon conditional No. 90," passed April 27.

House bill No. 502, "An act to incorporate the French Benevolent and Mutual Assistance Society of Galveston, Texas," passed April 27.

House bill No. 525, "An act to incorporate the Union Coal, Iron and Copper Mining and Manufacturing Company," passed April 27.

House bill No. 601, "An act to authorize the county court of Ellis county to issue coupon interest-bearing bonds to aid in the construction of a court house and jail in said county," passed April 27.

Also, with amendments: House bill No. 385, "An act to incorporate the town of Lexington, in Burleson county," passed April 27.

House bill No. 600, "An act to incorporate the Drayman's Club of Houston, Texas," passed April 27.

Also, transmitting for concurrence, Senate bill No. 139, "An act to incorporate the Lavaca and Navidad Rivers, Navigation and Dredging Company."

Message from the House informing the Senate the House had passed the following Senate bills:

Senate bill No. 297, "An act to amend sections two and twelve of 'an act to incorporate the Hempstead, Eastern and Western Trunk Railway Company.'"

Senate joint resolution No. 33, "Joint resolution authorizing and requiring the Governor to call a special election to fill certain vacancies."

Senate joint resolution No. 26, "Joint resolution for the relief of Dillard Cooper, with the following amendment: House amendment to Senate joint resolution No. 26: amend section one by inserting after the word "resolved" the words "by the Legislature of the State of Texas."

Also, informing the Senate the House has this day agreed to Senate amendments to House bill No. 399, to be entitled "An act to incorporate the town of Waxahachie, in Ellis county;" House bill No. 215, to be entitled "An act to provide for the payment of the public debt of the State of Texas."

The House insists on House amendments to Senate bill No. 9, to be entitled "An act authorizing county courts to sell the school lands situated in their respective counties," and appointed Messrs. Robertson, Zapp, R. Allen, Jo. Abbott and Cole Committee of Conference on part of the House.

Also, transmitting, for concurrence, the following House bills:

House bill No. 578, "An act to define and establish the boundary line between the counties of Live Oak and Nueces."

House bill No. 621, "An act to authorize G. B. Slaughter and D. T. Easley to erect a toll bridge across Guthrie creek and Grace's creek, in the county of Upshur, Texas."

House bill No. 624, "An act to relinquish to the county of Comanche the State taxes assessed in said county for the years 1868, 1869, 1870 and 1871."

House bill No. 626, "An act to incorporate the Carthage Branch Railway Company."

House bill No. 446, "An act to muster into service minute men for the protection of the frontier."

Also, transmitting, for signature, the following enrolled House bills:

No. 208, "An act to incorporate the Little Brazos River Bridge Company."

No. 260, "An act amendatory of section thirty-one of an act

entitled 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870."

No. 216, "An act to incorporate the town of Mount Pleasant, in Titus county."

No. 269, "An act for the protection of poor persons in cases of appeal in civil suits."

No. 60, "An act to incorporate the town of Cleburne, in Johnson county."

Enrolled bills signed by the President in open session.

BILLS AND RESOLUTIONS.

By Senator Dohoney: a bill (Senate bill No. 390) to be entitled "An act to exempt from taxation certain property therein mentioned." Read first time.

On motion of Senator Dohoney, the rules were suspended and bill read second time.

Senator Ford offered the following amendment: "That two hundred and fifty dollars worth of household or kitchen furniture, or farming utensils, belonging to the head of each family, be and the same is hereby exempt from taxation."

Yeas and nays were called for and amendment adopted by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick,—22

Nays—Broughton, Dohoney, Douglass—3.

Senator Ford offered the following amendment which was adopted by the following vote:

"That all the machinery, steam engines and all implements used by fire or hook and ladder companies, and actually used for extinguishing fires and nothing else, together with a building sufficient to house the same, shall be exempt from taxation."

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Dohoney, Douglass, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick—24.

Nays—Mills—1.

Senator Hertzberg offered the following amendment: "amend by striking out the words 'building for religious worship and churches' when they occur in the bill." Amendment lost by the following vote:

Yeas—Hertzberg, Ruby—2.

Nays—Mr. President, Baker, Bell, Bowers, Dohoney, Douglass, Ford, Fountain, Gaines, Hall, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Saylor, Shannon, Tendick—22.

Senate bill No. 390 ordered engrossed and passed to a third reading as amended.

On motion of Senator Dohoney, the rules were further suspended and Senate bill No. 390 read third time and passed by the following vote :

Yeas—Mr. President, Baker, Bell, Bowers, Cole, Dohoney, Douglass, Ford, Fountain, Gaines, Hall, Hillebrand, Latimer, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendick—22.

Nays—Hertzberg—1.

By leave, Senator Tendick submitted the following reports of Select Committee on Senate bills Nos. 383 and 384 :

COMMITTEE ROOM,
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Special Committee, to whom was referred Senate bill No. 383, "Authorizing the Commissioner of the General Land Office to employ additional extra draftsmen and providing for the payment thereof," ask leave to report the same back and recommend its immediate passage, as a very large amount of work appears, from the statement of the Commissioner accompanying this bill and from personal inspection of your committee, to be on hand unfinished and very much needed.

R. P. TENDICK,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Select Committee to whom was referred Senate bill No. 384, "Authorizing the Commissioner of the General Land Office to appoint additional draftsmen for his department and fixing the salaries and making an appropriation therefor," instruct me to report the same back with the recommendation that it do pass, for the reason that the amount of unfinished work now on hand in that office is very large and the clerical force entirely inadequate to the demands made upon them.

R. P. TENDICK,
Chairman.

On motion of Senator Pyle, the rules were suspended to consider the reports and bills.

Senate bill No. 383 read second time, ordered engrossed and passed to a third reading.

On motion of Senator Tendick, the rules were further suspended and Senate bill No. 383 read third time and passed.

On motion of Senator Tendick, the rules were suspended and Senate bill No. 384 read second time, ordered engrossed and passed to a third reading.

On motion of Senator Tendick, the rules were further suspended and Senate bill No. 384 read third time and passed.

Senator Ruby moved to suspend the rules to take from file House bill No. 613, "An act supplemental to an act entitled 'an act to authorize counties, cities and towns to aid in the construction of railroads and other works of internal improvement,' approved April 12, 1871."

Yeas and nays called for and motion to suspend the rules lost by the following vote, two-thirds not voting in the affirmative :

Yeas—Mr. President, Bowers, Cole, Dohoney, Douglass, Ford, Fountain, Hertzberg, Parsons, Pettit, Pyle, Rawson, Ruby, Saylor, Tendick—15.

Nays—Baker, Bell, Broughton, Gaines, Hall, Hillebrand, Latimer, Mills, Pickett, Shannon—10.

By leave, Senator Bowers introduced a bill (Senate bill No. 391) to be entitled "An act to authorize the Commissioner of the General Land Office to issue land certificates to owners of the T. J. Chambers grant." Read first time and referred to Committee on Private Land Claims.

On motion of Senator Fountain, the rules were suspended to take up House bill No. 357, "An act making appropriations for the support of the State government for deficiencies for the fiscal year ending August 31, 1871, and for the fiscal year ending August 31, 1872."

The question being upon the following amendment reported by the Committee on Finance, under head of Comptroller's Department, amend by striking out line thirty-eight.

On motion of Senator Mills, the amendment was rejected.

Senator Saylor offered the following amendment, which was adopted: under head of Judiciary Deficiency, amend by inserting between lines eleven and twelve, page eleven, "for completing and furnishing supreme court building, \$15,000."

Senator Baker offered the following amendment, which was adopted: amend after the word "takers," on page eight, line nine,

School Department, insert "for the years 1867, 1868, 1869, 1870, and 1871, \$25,000, in lieu of \$10,000."

Senator Pickett offered the following amendment and moved its adoption: amend by striking out all of the appropriation for the Adjutant General's Department from line one, on page seven, down to and including line thirty, on page eight.

Yeas and nays called for, and the amendment lost by the following vote:

Yeas—Bowers, Broughton, Cole, Dohoney, Douglass, Latimer, Pickett, Pyle, Shannon—9.

Nays—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—17.

Senator Dohoney offered the following amendment, which was lost: Move to amend on page eight, under head of School Department Deficiencies, by striking out the item "for books, blanks, stationery, printing, school books and apparatus for public schools, \$10,000." Also, the following amendment, which was lost: amend on page nine by striking out the item "for books, blanks, stationery, printing, school books and apparatus for public schools, \$40,000."

Senator Mills moved that the bill pass to a third reading.

Senator Pickett moved a division of the question, and that the vote of the Senate be taken upon the appropriation for each department, separately.

The Chair ruled that the question was not susceptible of division, and the motion out of order.

Senator Bowers offered the following amendments, which were adopted: amend line ten, page four, by striking out "\$400," and inserting "\$600;" also, add after line ten, page four, the words "for porter hire, \$200;" also, amend line forty, page five, by striking out the word "\$1200," and inserting "\$2000;" also, amend by adding after line thirty-seven, page five, the words, "for printing, binding and distributing forms, tax law with instructions and current printing, \$12,000."

Senator Douglass offered the following amendment: strike out from page seven, under Adjutant General's Department, lines 1, 2, 3, 4 and 5, the following:

"For support of State police.....	\$100,000
For enrolling militia and State Guard.....	10,000
For arming State Guard.....	20,000"
Lines 27, 28 and 29 the words and figures	
"For support of State police.....	\$270,000
For arming militia and State Guard.....	10,000"

Senator Saylor moved the amendment be rejected.

Yeas and nays called for, and the amendment rejected by the following vote :

Yeas—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—17.

Nays—Bowers, Broughton, Cole, Dohoney, Douglass, Latimer, Pickett, Pyle, Shannon—9.

The question recurring upon the passage of the bill to a third reading, yeas and nays called for and bill passed to a third reading by the following vote :

Yeas—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick—16.

Nays—Bowers, Broughton, Cole, Dohoney, Douglass, Latimer, Pickett, Pyle, Shannon—9.

On motion of Senator Ruby, the rules were further suspended and House bill No. 357 read third time and passed by the following vote :

Yeas—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—17.

Nays—Bowers, Broughton, Cole, Dohoney, Douglass, Latimer, Pickett, Pyle, Shannon—9.

On motion of Senator Mills, the rules were suspended to take from file House bill No. 88, "An act to provide for the completion and control of the Supreme Court building, library, etc." Read second time.

Senator Fountain offered the following amendment, which was adopted : amend section two, line one, strike out the word "hereafter."

Bill passed to third reading as amended, and, on motion of Senator Fountain, the rules were further suspended and House bill No. 88 read third time and passed.

By leave, Senator Fountain introduced a resolution (Senate joint resolution No. 35) "Joint resolution authorizing and requiring the Governor to invest the proceeds of the sale of certain United States land warrants in United States bonds, or in interest bearing bonds of this State." Read first time.

Senator Fountain moved the reference of the resolution to a Select Committee, with instructions to report to-morrow. Carried.

The Chair appointed as such committee Senators Fountain, Bowers and Saylor.

On motion of Senator Saylor, the rules were suspended to take from file Senate bill No. 357, "An act to incorporate the Austin

Social Club." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Saylor, the rules were further suspended Senate bill No. 357 read third time and passed.

On motion of Senator Cole, the rules were suspended to take from file House bill No. 412, "An act to incorporate Cedar Male and Female Institute." Read second time and passed to a third reading.

On motion of Senator Cole, the rules were further suspended and House bill No. 412 read third time and passed.

On motion of Senator Pyle, the rules were suspended to take from file House bill No. 348, "An act to incorporate the Hope Independent Fire Company No. 4, of Galveston, Texas." Read second time and passed to a third reading.

On motion of Senator Pyle, the rules were further suspended and House bill No. 348 read third time and passed.

On motion of Senator Ford, the rules were suspended to take from file House bill No. 358, "An act to authorize the board of aldermen of the city of Waco to lease a part of the ground on the public square of said city, for certain purposes." Read second time and passed to a third reading.

On motion of Senator Ford, the rules were further suspended and House bill No. 358 read third time and passed.

On motion of Senator Mills, the rules were suspended to take from file Senate bill No. 238, "An act to amend 'an act fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules.'" Read second time.

On motion of Senator Saylor, the following amendments were adopted: Amendments of Judiciary Committee to Senate bill No. 238, amend caption of bill by adding after the word "rules" the words "approved August 13, A. D. 1870."

Amend section one, lines sixteen and seventeen, by striking out the words "beginning of the term," and insert the following: "time assigned for the hearing of causes from the several districts."

Bill ordered engrossed and passed to a third reading.

On motion of Senator Saylor, the rules were further suspended and Senate bill No. 238 read third time and passed.

On motion of Senator Latimer, the rules were suspended to take from file House bill No. 466, "An act to incorporate the Blufton Male and Female Academy." Read second time and passed to a third reading.

On motion of Senator Baker, the rules were further suspended and House bill No. 466 read third time and passed.

On motion of Senator Parsons, the rules were suspended to take from file Senate bill No. 158, "An act to incorporate the Houston Cooperage Manufacturing Company." Read second time.

On motion of Senator Parsons, the following amendment, reported by the Committee on State Affairs, was adopted: amend section five, line twenty, strike out the word "five" and insert the word "one."

Bill ordered engrossed and passed to a third reading.

On motion of Senator Parsons, the rules were further suspended and Senate bill 158, read third time and passed.

On motion of Senator Baker, the rules were suspended to take from file, House bill No. 618 "An act to incorporate the Seguin Manufacturing Company." Read first time and, on motion of Senator Baker, the rules were further suspended and bill read second time and passed to a third reading.

On motion of Senator Baker, the rules were further suspended and House bill No. 618, read third time and passed.

Senator Gaines offered the following resolution which was adopted:

Resolved, That the use of the rooms in the basement of the Capitol, under the control of the Senate, be granted to the colored Baptist Church of Austin, for May 5, 1871, and also that free passage be granted to said rooms through the upper floor.

On motion of Senator Ruby, the rules were suspended to take from file House bill No. 500, "An act to authorize the fire engine, the hook and ladder and the hose companies of the city of Galveston to increase the number of the men in each company." Read second time.

On motion of Senator Ruby, the rules were further suspended, House bill No. 500 read third time and passed.

On motion of Senator Gaines, the rules were suspended to take from file House bill No. 145, "An act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within three miles of Baylor University, in Washington county." Read second time with amendments.

Amendment: At end of section three add, "*provided*, a school organization be maintained in said university during the accustomed scholastic months of each and every year."

On motion of Senator Gaines, the amendment reported by the Committee on Education was adopted.

On motion of Senator Gaines, the rules were further suspended, House bill No. 145 was read third time and passed.

On motion of Senator Fountain, the rules were suspended to take from file House bill No. 248, "An act for the relief of Richard O'Hanlon." Read second time.

On motion of Senator Fountain, the rules were further suspended, House bill No. 248 read third time and passed by the following vote:

Yeas—Mr. President, Baker, Bell, Cole, Dohoney, Fountain, Gaines, Hall, Hillebrand, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick—19.

Nays—Douglass, Latimer—2.

On motion of Senator Saylor, the Senate at 1 o'clock P. M., adjourned to 10 o'clock A. M. to-morrow.
